Haryana Government Gazette

EXTRAORDINARY

Published by Authority

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No. 35-2026/Ext.] CHANDIGARH, THURSDAY, MARCH 5, 2026
(PHALGUNA 14, 1947 SAKA)

LEGISLATIVE SUPPLEMENT

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PART-I

HARYANA GOVERNMENT

LAW AND LEGISLATIVE DEPARTMENT

Notification

The 5th March, 2026

No. Leg.17/2026.— The following Act of the Legislature of the State of Haryana received the assent of the President of India on the 15th December, 2025 and is hereby published for general information:-

HARYANA ACT NO. 16 OF 2026

THE HARYANA PROHIBITION OF CHANGE OF PUBLIC UTILITIES ACT, 2022

AN

ACT

to prohibit disturbing or changing of public utility and claiming such land to the exclusion of public rights and use in the State of Haryana and for matter connected therewith or incidental thereto.

Be it enacted by the Legislature of the State of Haryana in the Seventy-third Year of the Republic of India as follows:-

Short title, commencement and application.

1. (1) This Act may be called the Haryana Prohibition of Change of Public Utilities Act, 2022.

(2) It shall come into force on such date, as the State Government may, by notification in the Official Gazette, appoint.

(3) It shall be applicable in respect of public utilities which are in existence for twenty years or more as on the appointed day.

Definitions.

2. In this Act, unless the context otherwise requires,-

(a) "Collector" means the Collector of a revenue district and includes the Deputy Commissioner or any other officer specially designated by the State Government to perform the functions of a Collector under this Act;

(b) "Commissioner" means the Divisional Commissioner of a revenue division and includes any other officer specially designated by the State Government to perform the functions of a Commissioner under this Act;

(c) "Financial Commissioner" means an officer appointed by the State Government and includes any other officer specially designated by the State Government to perform the functions of a Financial Commissioner under this Act;

(d) "public utility" includes roads, paths, canals, drains, embankment, any structure, water/irrigation channels, public health works, public institutions, building and any other facility which is used or has been used by the public or for the public benefit, whether on payment of charges or otherwise by the State Government, which exists on any land of any individual, company, society, partnership firm, trust etc.;

(e) "State Government" means the Government of the State of Haryana in the administrative department.

Prohibition of disturbing or changing public utility.

3. (1) Notwithstanding anything to the contrary contained in any law, instrument, custom, usage, judgment, decree or order of any Court or other authority, no person including individual, company, society, partnership firm, trust etc. shall be entitled to disturb, change or demolish any public utility over any land of any private person, individual, company, society, partnership firm, trust etc. to the detriment of the public interest or use, which are or were in public use or in existence for the benefit of public, nor any such person shall claim such public utility to the exclusion of the rights and benefits of the public.

(2) If any person disturbs, changes, demolishes or obstructs any public utility then the Collector either suo moto or on receiving information on such interference in the public utility may direct the restoration of such public utility to its original condition after providing an opportunity of being heard and may recover the cost incurred in respect of such restoration as arrears of land revenue from such person.

(3) Any person aggrieved by the order passed by the Collector under sub-section (2), may file an appeal before the Commissioner within thirty days of the date of the order.

(4) Any person aggrieved by an order of the Commissioner under sub-section (3), may file a revision petition before the Financial Commissioner within ninety days from the date of the order. The order of the Financial Commissioner shall be final.

Punishment for disturbing, changing public utility.

4. Whoever violates the provisions of section 3, shall be punishable with the imprisonment for a term upto six months or with a fine which shall not be less than two thousand rupees and more than ten thousand rupees or both.

No claim for damges or compensation.

5. No person shall be entitled to claim any damages or compensation in lieu of prohibition or restrictions contained in this Act.

Preparation of record of rights.

6. The Collector shall cause to enter or prepare record of such public utility and public rights by giving note of such public utility in the record of rights in appropriate column of such record.

Bar of jurisdiction.

7. No Civil Court shall have the jurisdiction to entertain any suit relating to matters falling under this Act or the rules made thereunder.

Power to remove difficulties.

8. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient, for removing the difficulty:

Provided that no such order shall be made after the expiry of two years from the appointed day.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

Protection of action taken in good faith.

9. No suit, prosecution or other legal proceedings shall lie against any officer or employee of the State Government for anything which is in good faith done or intended to be done under this Act or rules made thereunder.

Power to make rules.

10. (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be, after it is made, before the House of the State Legislature, while it is in session.

RITU GARG,
ADMINISTRATIVE SECRETARY TO GOVERNMENT, HARYANA,
LAW AND LEGISLATIVE DEPARTMENT.

12473—L.R.—H.G.P., Pkl.